IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 516 of 1996

Between:

1. Khandavilli Sobhanadracharyulu,

s/o.Srivenkata Charyulu, 61 years, Archaka,

Tanuku, West Godavari District.

2. Khandavilli Pardhasaradi, s/o.SriVenkatacharyulu,

42 yrs., Archaka, r/o.Tanuku, West Godavari.

3. Khandavilli Murari, s/o.Sri Venkatacharyulu,

38 yrs, r/o.Ranuku, West Godavari.

..... PETITIONER

AND

1. The District Collector & Magistrate,

West Godavari District, Eluru.

2. The Revenue Divisional Officer, Kovvuru,

West Godavari District.

3. Sri Keshavaswami and Mahalaxmi Ammavari

Devastanam, Tanuku, West Godavari District

Rep.by its Executive Officer.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of writ of Mandamus

by declaring the Notification issued by the 1st respondent in his proceedings ROC.No.AP/9/43/95, dated 1.1.1996 under Section 4(1) of the Land Acquisition Act proposing to acquire lands of an extent of Ac.15.67 cents in s.No.134/1A,1B,2C and 134/2A, in the possession of the hereditary Archakas of the 3rd respondent Devasthanam and the consequential declaration under Section6 of the Land Acquisition Act quash or set aside the same holding it illegal, unjust and unsustainable.

Counsel for the Petitioner: MR.NUTY RAM MOHAN RAO

Counsel for the Respondents: G.P. for Social Welfare.

The Court made the following :

HONOURABLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO.516 OF 1996

ORDER:

This writ petition is filed seeking a writ of mandamus to declare the notification dated 1.1.1996 in ROC.No.AP/9/43/95 issued by the first respondent under Section 4(1) of the Land Acquisition Act proposing to acquire lands to an extent of Ac.15.67 cents in Survey Nos.134/1A,1B,2C and Sy.No.134/2A, which is in possession of Archakas of third respondent-Devasthanam, as illegal and unjust.

In view of the proceedings dated 4.12.1998 in Rc.No.M1/47068/95, of the Commissioner of Endowments Department, wherein he requested the first respondent herein to drop the proposed acquisition of the land, this writ petition is closed. No order as to costs.

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(JUSTICE R.SUBHASH REDDY)

Dt.07.02.2005.

Mdaa.

Copy to:

1. The District Collector & Magistrate,

West Godavari District, Eluru.

2. The Revenue Divisional Officer, Kovvuru,

West Godavari District.

3. Two C.Cs to G.P.for Social Welfare, High Court of A.P., Hyderabad (OUT).

4. Two C.D.copies.